

EXHIBIT 1

Stipulation

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

ZOHAR III, CORP., *et al.*,¹

Debtors.

Chapter 11

Case No. 18-10512 (KBO)

Jointly Administered

ZOHAR CDO 2003-1, LIMITED; ZOHAR II
2005-1, LIMITED; and ZOHAR III,
LIMITED; ZOHAR II 2005-1, CORP.;

Plaintiffs,

v.

PATRIARCH PARTNERS, LLC;
PATRIARCH PARTNERS VIII, LLC;
PATRIARCH PARTNERS XIV, LLC;
PATRIARCH PARTNERS XV, LLC;
PHOENIX VIII, LLC; OCTALUNA LLC;
OCTALUNA II LLC; OCTALUNA III LLC;
ARK II CLO 2001-1, LIMITED; ARK
INVESTMENT PARTNERS II, LP; ARK
ANGELS VIII, LLC; PATRIARCH
PARTNERS MANAGEMENT GROUP, LLC;
PATRIARCH PARTNERS AGENCY
SERVICES, LLC; and LYNN TILTON,

Defendants, and

180S, INC.; BLACK MOUNTAIN DOORS,
LLC; CROSCILL HOME, LLC; DURO
TEXTILES, LLC; GLOBAL AUTOMOTIVE
SYSTEMS, LLC; HERITAGE AVIATION,
LTD.; INTREPID U.S.A., INC.; IMG
HOLDINGS, INC.; JEWEL OF JANE, LLC;
MOBILE ARMORED VEHICLES, LLC;
SCAN-OPTICS, LLC; SILVERACK, LLC;
STILA STYLES, LLC; SNELLING

Adv. Pro. No. 20-50534

¹ The Debtors, and, where applicable, the last four digits of their taxpayer identification number are as follows: Zohar III, Corp. (9612), Zohar II 2005-1, Corp. (4059), Zohar CDO 2003-1, Corp. (3724), Zohar III, Limited (9261), Zohar II 2005-1, Limited (8297), and Zohar CDO 2003-1, Limited (5119). The Debtors' address is c/o FTI Consulting, Inc., 1166 Avenue of the Americas, 15th Floor, New York, NY 10036.

STAFFING, LLC; VULCAN
ENGINEERING, INC; and XPIENT
SOLUTIONS, LLC,

Nominal Defendants.

PATRIARCH PARTNERS VIII, LLC;
PATRIARCH PARTNERS XIV, LLC;
PATRIARCH PARTNERS XV, LLC;
OCTALUNA LLC; OCTALUNA II LLC;
OCTALUNA III LLC; PATRIARCH
PARTNERS AGENCY SERVICES, LLC; and
PATRIARCH PARTNERS, LLC,

Counterclaim and Third-Party
Claimants,

-against-

ZOHAR CDO 2003-1, LIMITED; ZOHAR
CDO 2003-1, CORP., ZOHAR II 2005-1,
LIMITED; ZOHAR II 2005-1, CORP.;
ZOHAR III, LIMITED; and ZOHAR III
CORP.

Counterclaim and Third-Party
Defendants.

SCHEDULING STIPULATION

WHEREAS, on March 9, 2020, the Plaintiffs commenced the above-captioned adversary proceeding by filing a complaint [Adv. D.I. 2] against the above-captioned defendants (collectively, the “Defendants”).

WHEREAS, on March 18, 2022, the Plaintiffs filed their Corrected Second Amended Complaint [Adv. D.I. 171].

WHEREAS, on April 11, 2022, the Defendants filed their Amended Answer to the Corrected Second Amended Complaint [Adv. D.I. 175] (the “Amended Answer”), asserting counterclaims against the Plaintiffs and third-party claims against debtor Zohar III, Corp.

(collectively with Plaintiffs, the “Counterclaim and Third Party Defendants,” and together with Defendants, the “Parties”).

WHEREAS, on May 6, 2022, the Court entered the *Order Approving Scheduling Stipulation* [Adv. 184] establishing (i) the deadline for the Counterclaim and Third-Party Defendants to respond to the counterclaims and third-party claims asserted in the Amended Answer as June 15, 2022, and (ii) a briefing schedule that would apply if and to the extent the Counterclaim and Third-Party Defendants moved to dismiss any of the counterclaims and third-party claims asserted in the Amended Answer.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, subject to the approval of the Court, that:

1. The deadline for the Defendants to file their second amended answer and counterclaims (the “Second Amended Answer”) is June 20, 2022.
2. The deadline for responding to any counterclaims and third-party claims asserted in the Second Amended Answer is August 1, 2022.
3. To the extent a motion to dismiss is filed with respect to any counterclaims and third-party claims asserted in the Second Amended Answer (the “Motion to Dismiss”), then (a) any answering brief in opposition to the Motion to Dismiss shall be filed by September 19, 2022, and (b) any reply brief in support of the Motion to Dismiss shall be filed by October 10, 2022.

[Signature pages follow]

Dated: June 15, 2022
Wilmington, Delaware

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